



SAN FRANCISCO BAY CONSERVATION  
& DEVELOPMENT COMMISSION

January 13, 2012

Ms. Ellen Miramontes  
Bay Design Analyst  
San Francisco Bay Conservation and Development Commission (BCDC)  
50 California Street, Suite 2600  
San Francisco, CA 94111

Subject: **Follow-up on Meeting of December 14, 2011 – Public Pavilion – Scott’s, Jack London Square- Permit No. 19-85(B)**

Dear Ellen

This letter is in response to the meeting in your office regarding the Public Pavilion, Jack London Square.

As we mentioned in subsequent follow-up communication, we appreciated the attention that you and the BCDC staff has given to our discussion and the advice on how we may proceed with our application for a modification to the existing permit.

We also, as you are aware, wish to change some of the material and functionality of the Pavilion, but not the use or permitted activity. We are hoping that these proposed improvements can be addressed on our application for a permit modification. We seek BCDC’s staff guidance in addressing these issues.

#### Description of the Proposed Improvements

##### *Site Constraints*

The site of the Public Pavilion in the Permit No 19-85 (B) as described under Item C. Public Access, suggests that the existing site (excluding the Pavilion) has relatively little public use, in part because its primary function is as a service access to the services areas for both Scott’s and Kincaid’s Restaurants as well as to the retail building formally known as Water Street III. Under the findings of the original Permit as amended, it is stated that “.... the lack of activities fronting on the plaza combined with the service vehicle activity significantly diminishes the value of the plaza as a public space”. It also states that “...the backs of buildings generate little life in plazas.” The Permit further states that “...approximately 290 linear feet of walls of the 330 linear feet of walls framing this plaza are the rear or service entry of the buildings, while only 40 linear feet are fronts.” This description depicts the true existing conditions of the site with the exception of the Pavilion.

As the Permit suggests, this area is not very intriguing public space at all without something to generate additional activity. There is very little incentive for anyone to gather in this space or use this space especially since there are many other better alternatives for gathering along the waterfront in the Jack London Square project. As stated, the area serves as a service area for existing restaurants and there is no access to the restaurants from this area. The area also has exterior electrical and other utilities plainly visible. The Pavilion provides an enhancement and a focal point to this area, it also tends to focus one’s view towards the opening between the two restaurants towards the water and the marina area beyond.

## *Public Pavilion Proposed Improvements*

The original intent of the Public Pavilion was to provide a focal point to this area and provide a place for activity that would be unique to the other offerings in the neighborhood. There is no covered public area on the waterfront in Oakland that I know of. We think that the Public Pavilion has meet this challenge of providing a covered public space, but we think that it can do *more* and that is why we are proposing the improvements we are suggesting.

One of the challenges with the operation of the Public Pavilion, when used for private events, is the method used to convert the use from public to private space and again back to public. The installation of the vinyl tent walls on the 18 foot high sides of the Pavilion takes two people on a scissors lift several hours to install and again several hours to take down with each "turn over" of the Pavilion. The Permit language takes this time into account when it provides that if an event extends past 10 PM, the walls can remain standing until the following morning among other language quoted above.

The proposed permit modification proposes the replacement of the vinyl tent walls with roll down walls. When retracted, these rollup walls hide under the roof's tubular steel fascia structure on the inside of the Pavilion Building and are out of view from the exterior of the Public Pavilion. These roll-up segments of the walls are insulated and powder coated both inside and out to both withstand the elements as well as provide a solid and pleasing look when the Public Pavilion is in private use. The walls can be raised and lowered electrically within a matter of minutes –not the hours under the current process.

The existing vinyl windows in the tent wall have not been a successful adaptation of the permit requirements with its obligation to include transparent window panels within the vinyl tent material. After repeated re-installation of the tent material, the vinyl transparent windows become scratched and discolored. These windows become less transparent and reduce the ability to view anything thought them. In addition, the vinyl material used in the tent material repeatedly wares out and as mentioned, requires elevated installation which is dangerous and time consuming to the staff.

While we understand the proposed new system of metal roll up walls is a change from how the Public Pavilion now operates we do believe that this installation will make a significant improvement in both the looks of the Public Pavilion and the operations. The enhancement in the operations will permit Scott's, when using the Pavilion, to better comply with permit requirements and better maintain the Pavilion for private as well as public use.

One of the challenges with the existing operations is, as mentioned, the vinyl window situation and the fact that the outside entry to the Pubic Pavilion is "tent material". In order to make the roll-up walls work properly, there will need to be a track system installed permitting the walls to glide up and down with the push of a button. The only way this can safely be done is by providing some permanent partitions that demarcate the "tracks" for the walls. Scott's proposes that this be done through the use of these partitions that are installed with translucent glass panels. The point being that these panels provide a unique addition to the Public Pavilion that attracts a closer look to any passerby both day and night. The idea being that the remaining openings become more welcoming with the translucent walls reflecting, refracting and transmitting natural sun light during the day with glowing warmth. During the night they are illuminated by invisible but delightful colored energy efficient LED lighting that will edge

light the panels. This process will allow the panels to emit a soft and colorful glow, again pulling anyone walking by (in an otherwise darkly lit exterior) in for a closer look!

The Public Pavilion lighting and other electrical elements will be powered by installation of solar panels on the roof, thereby reducing or eliminating any of the carbon footprint that the Public Pavilion may produce in its static and operational modes. One of the major office tenants in Jack London Square is Sungevity!

To entice further public activity in and around the Pavilion, Scott's proposes to provide more portable interior amenities that may attract people to the area, subject to discussion with your staff, this may include tables that would accommodate card playing or checkers, better benches or chairs, potentially different or better signs.

We believe that our proposed changes in how with Public Pavilion operates will be to everyone's advantage. Scott's can save time and potential liability by installing an electrically operated roll-up door system, the Public Pavilion can turn from a private to public space much faster and the needed improvements to the Public Pavilion can be made with private investment for the betterment of the area. As mentioned the Public Pavilion has been in this location for nearly 20 years and improvements need to be made, including painting, etc., all of this will be accomplished through these improvements.

We understand that an amendment to the permit is necessary in order to make the needed improvements to this otherwise less successful public space and we are willing to work through those issues with you and your staff and Commission. We will work with the Port, our landlord to obtain their input and concurrence with our plan as well.


We understand that the Commission is responsible for enforcement of the provisions of the McAteer-Petris Act and that our efforts are designed to enhance the public use of the waterfront with these proposed improvements that we believe will attract additional use to this otherwise "back of the house" site.

We have submitted our proposed drawings and are ready for further discussions with you in an effort to move our proposal forward. We believe that the next best opportunity would be in the next week or so and would invite you and others you desire to meet us at the site to further discuss this project. We can better explain our plan and provide you with additional visual material for discussion.

I will contact you next week to arrange for a meeting on the site.

Thank you again for your attention to this proposal.

Sincerely,



Steven E Hanson

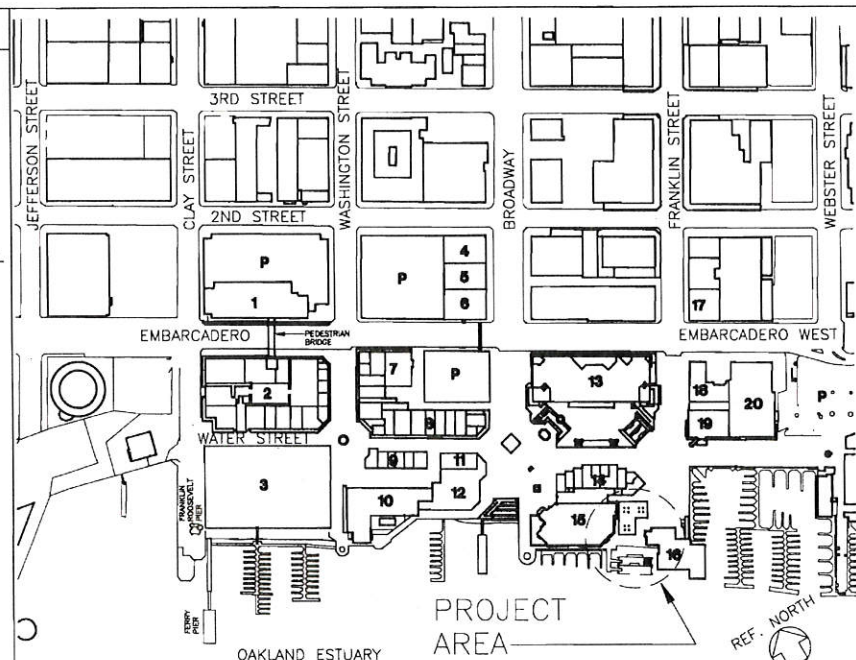
Representative for Scott's Restaurant.

cc: Steven Fagalde



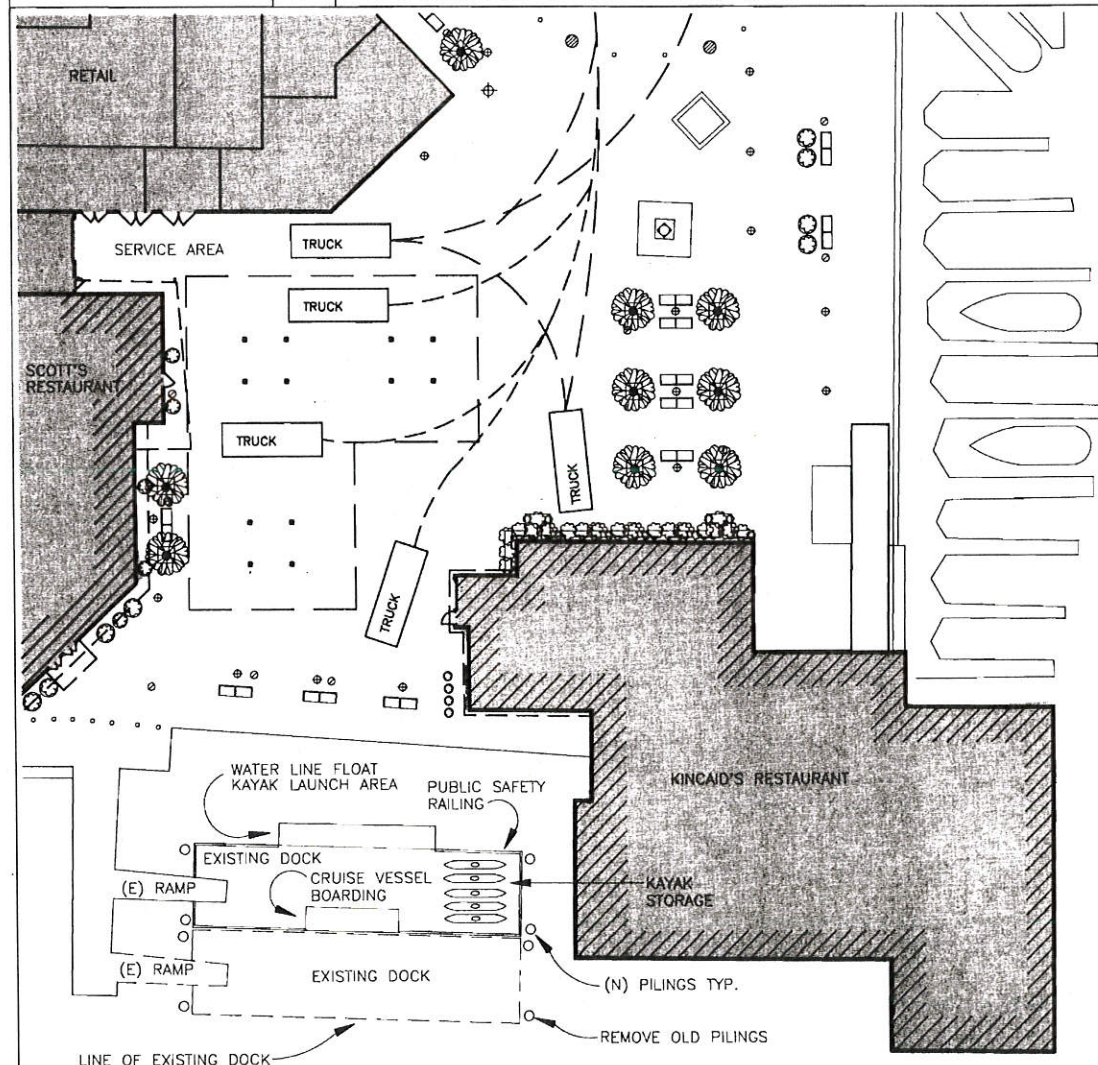
# LEGEND

- 1 RETAIL
- 2 PORT OF OAKLAND
- 3 THE MEADOW
- 4 CHERIE'S RESTAURANT
- 5 OFFICES
- 6 OVERLAND HOUSE GRILL
- 7 MAC'S
- 8 WATER ST. TWO
- 9 WATER ST. THREE
- 10 WATERFRONT PLAZA HOTEL
- 11 HOTEL RETAIL
- 12 JACK'S RESTAURANT
- 13 THE PAVILION
- 14 BARNES & NOBLE
- 15 WATER ST. ONE
- 16 SCOTT'S RESTAURANT
- 17 KINCAID'S RESTAURANT
- 18 KDIA RADIO
- 19 PIER ONE IMPORT
- 20 EL TORITO RESTAURANT
- 21 OLD SPAGHETTI FACTORY
- P PARKING



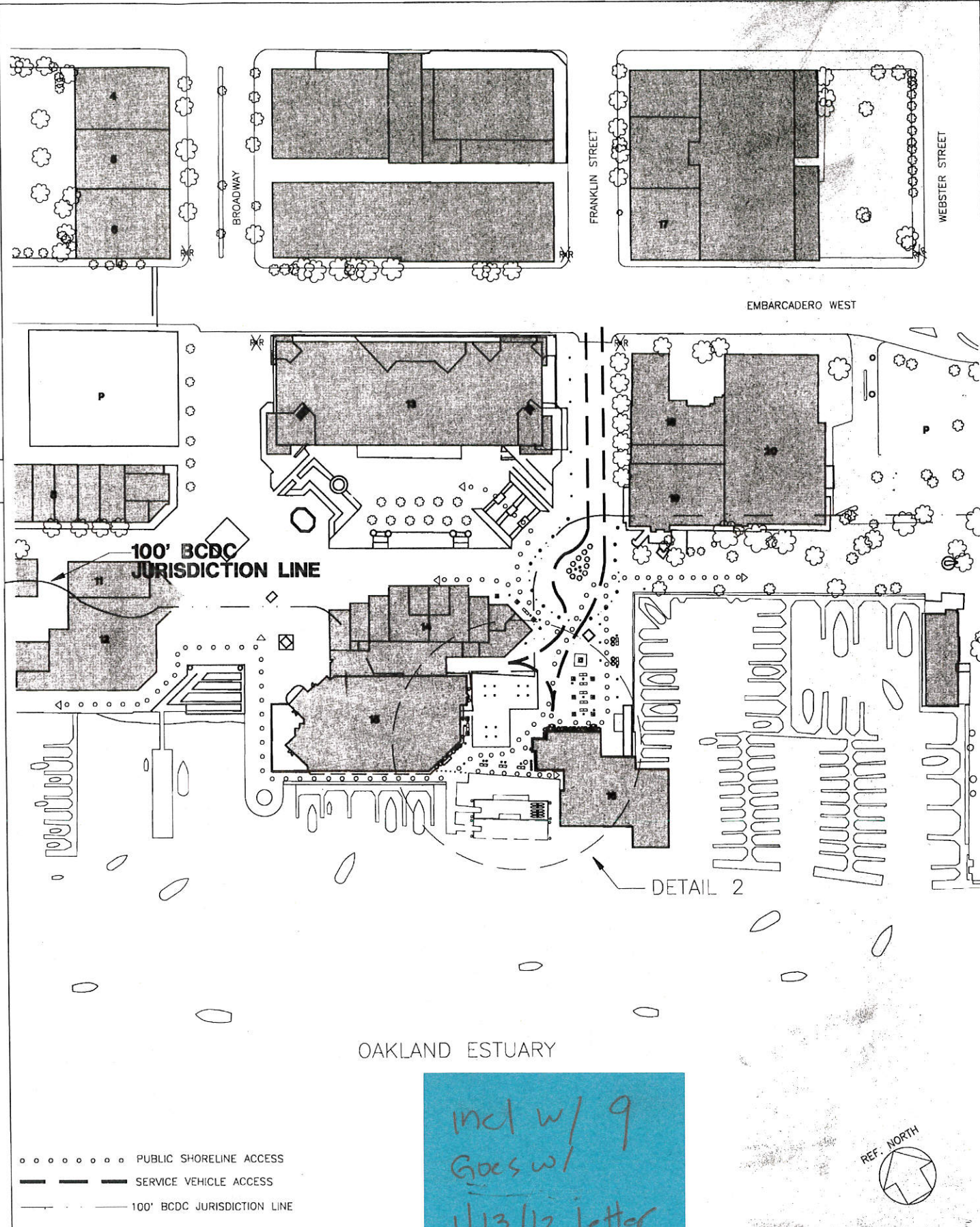
## 1 VICINITY PLAN

SCALE: 0 200' 400'



## 2 DETAIL - TRUCK TURNAROUND

SCALE: 0 20' 40' 60'



## 3 ACCESS PLAN

SCALE: 0 50' 100' 150'



### ARCHITECTURE + PLANNING

445 Grant Avenue  
4th Fl. Suite 404  
San Francisco, CA  
94108-3208 USA  
(415) 391-3313  
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PUBLIC  
PAVILION

#2 BROADWAY  
OAKLAND, CALIFORNIA

No. Revision By

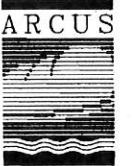
Job No. Date 3/2/95  
9427C Drawn by  
Checked by

Sheet Title

VICINITY PLAN,  
ACCESS PLAN  
AND DETAIL

SK-1 of 4 Sheets

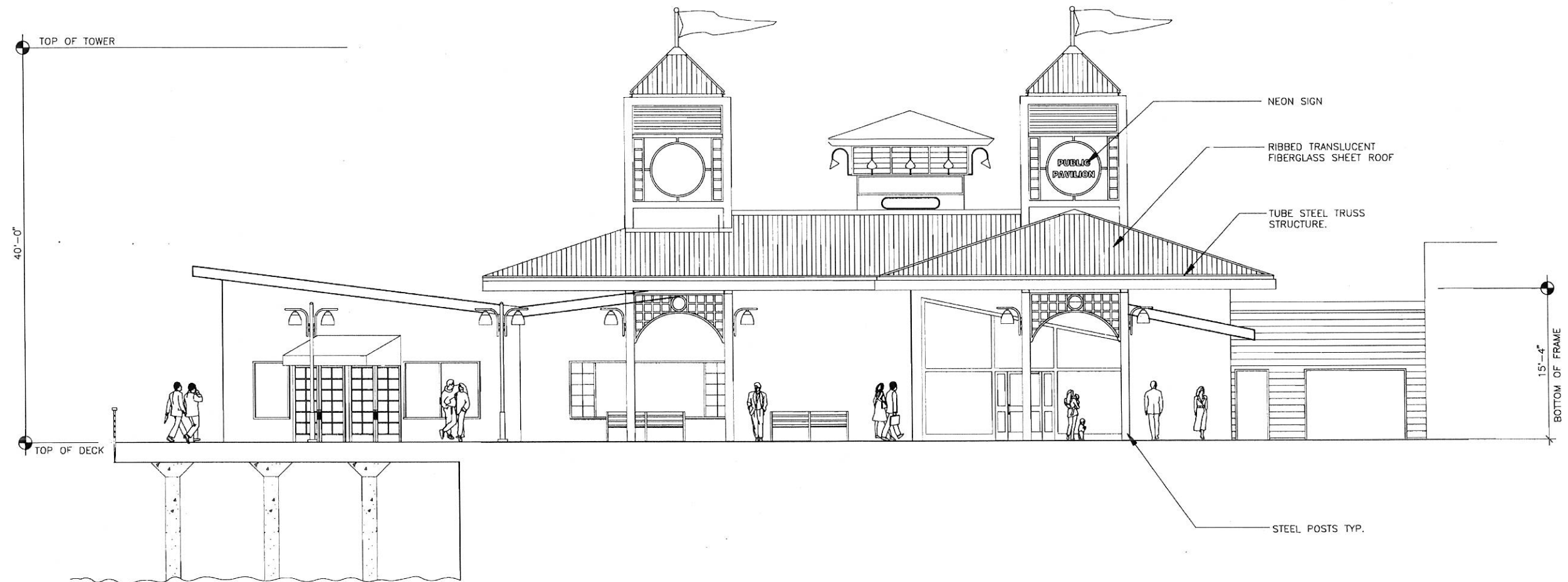




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PUBLIC  
PAVILION

#2 Broadway  
Oakland, California



No. Revision By

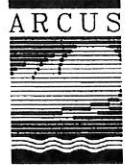
Job No. Date 1/2/96  
9427C Drawn sk  
Checked by sk  
Sheet Title \*

ELEVATION  
PUBLIC USE

1 ELEVATION

SCALE: 0 1 5 10 20

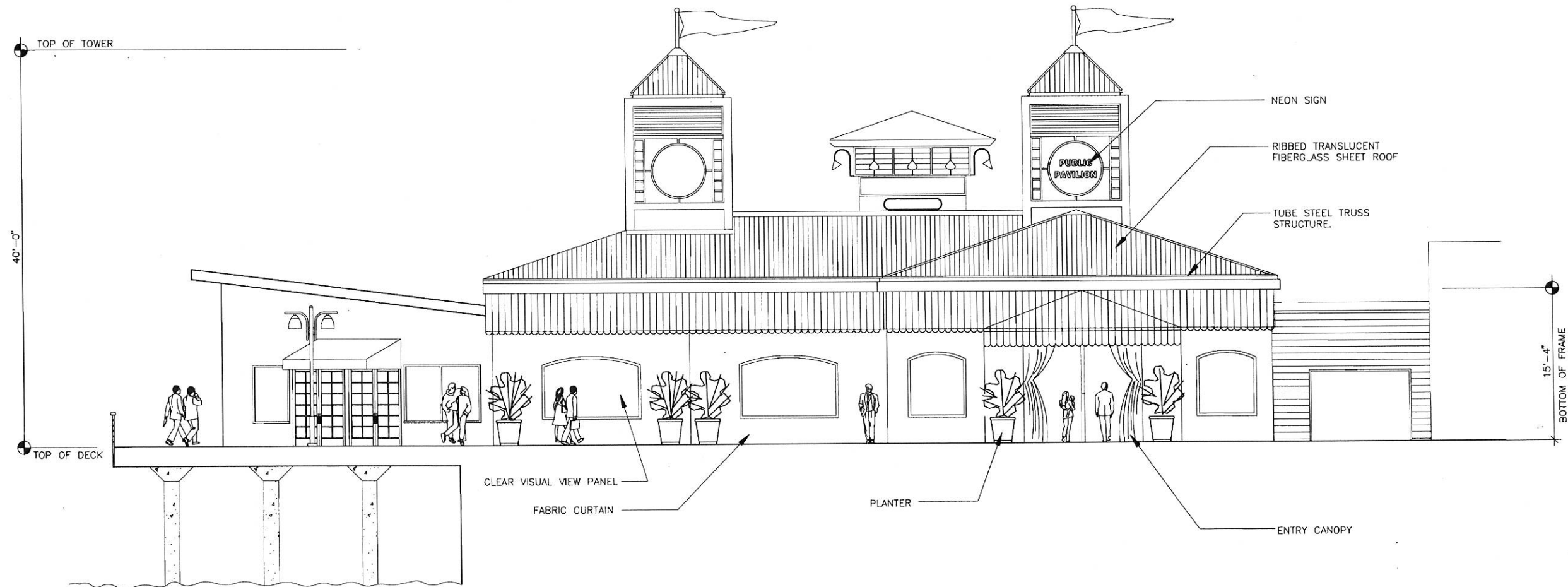
SK-3 of 4 Sheets



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PUBLIC  
PAVILION

#2 Broadway  
Oakland, California



1 ELEVATION

SCALE: 0 1 5 10 20

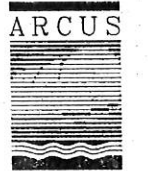
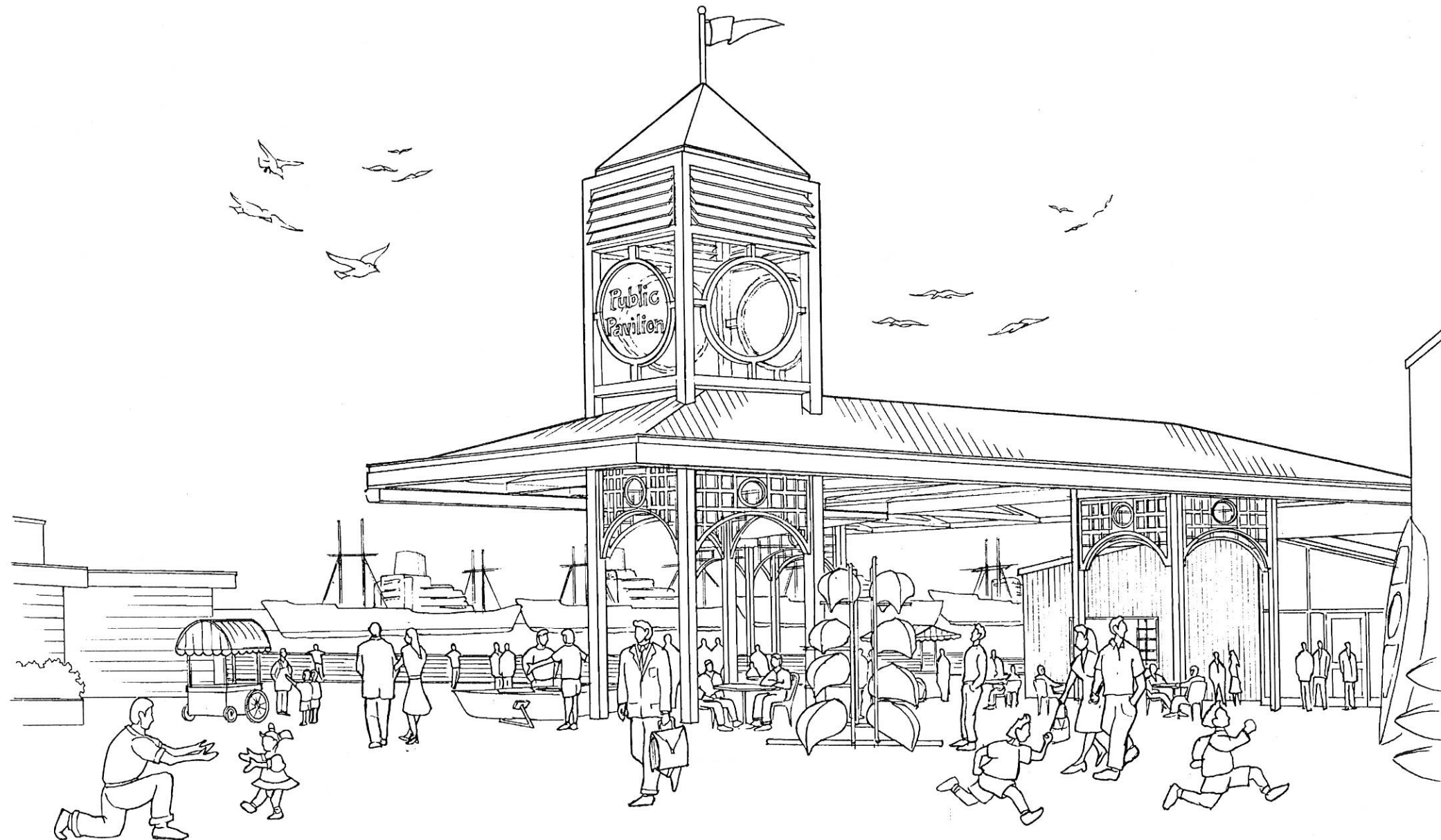
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Job No. Date 1/2/98  
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Checked by sk  
Sheet Title

ELEVATION  
PRIVATE EVENT

SK-4 or 4 Sheets





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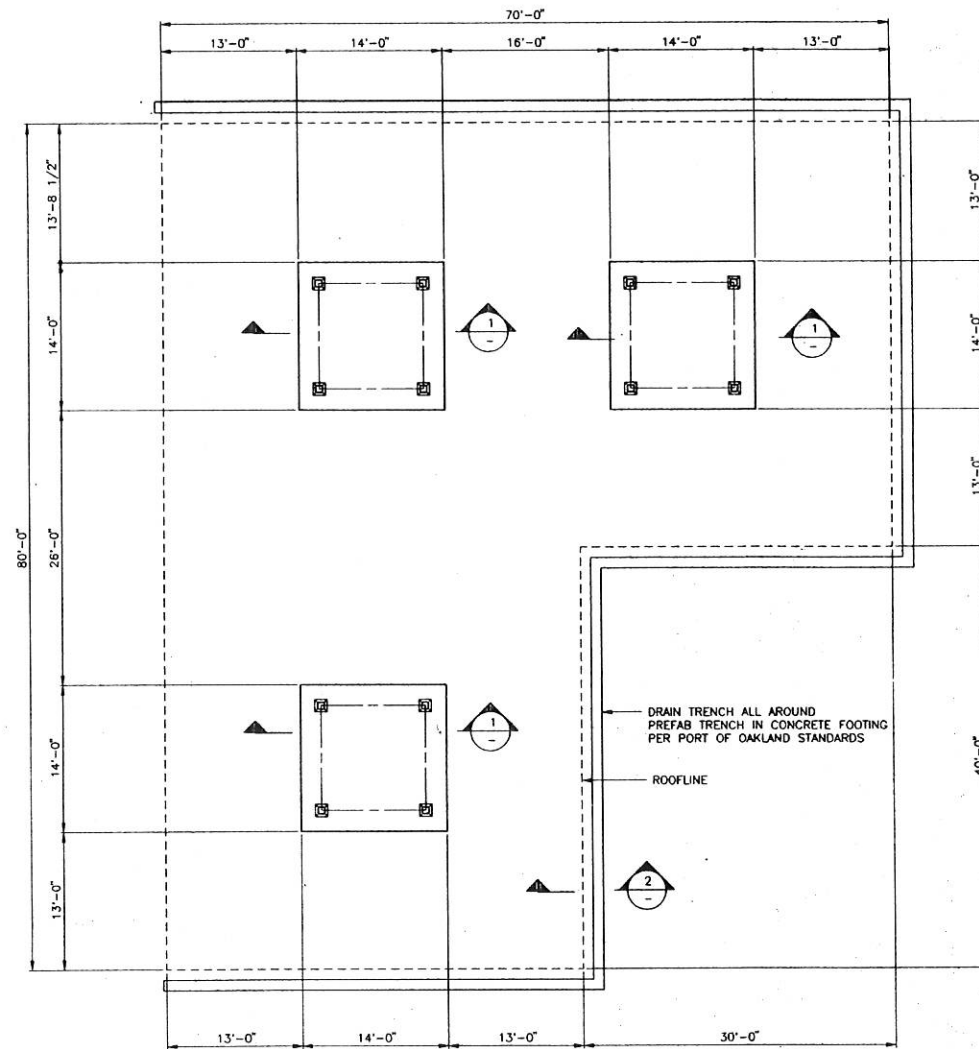
## PUBLIC PAVILION

#2 Broadway  
Oakland, California

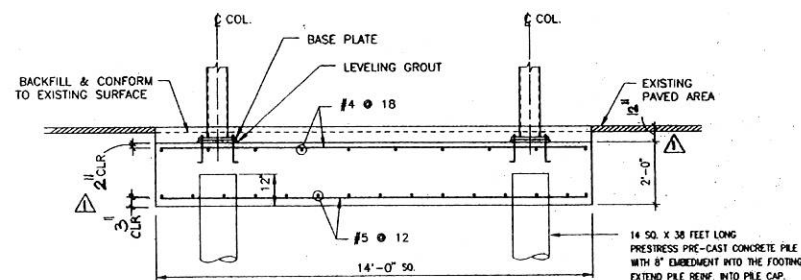
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Job No. Date  
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Checked by  
Sheet Title

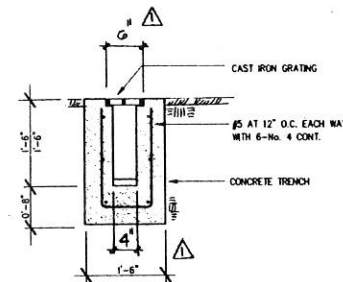
PERSPECTIVE  
VIEWS



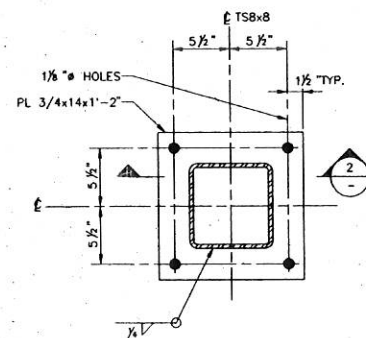
FOUNDATION PLAN  
1/8" = 1'-0"



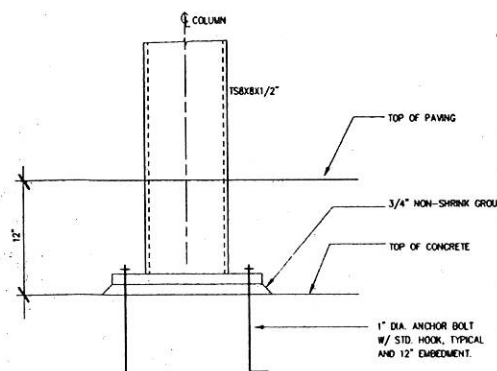
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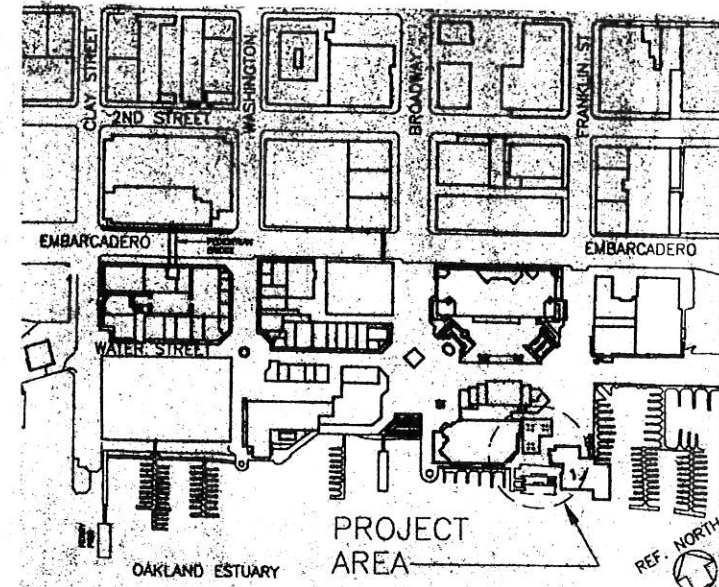
TRENCH DETAIL  
1 1/2" = 1'-0"



BASE PLATE DETAIL  
1 1/2" = 1'-0"



2 SECTION  
1 1/2" = 1'-0"



LOCATION PLAN

### GENERAL NOTES

#### GENERAL:

ALL WORK SHALL COMPLY WITH ALL PERTINENT FEDERAL, STATE AND LOCAL REQUIREMENTS, CODES, LAWS AND ORDINANCES.  
UNIFORM BUILDING CODE 1994 EDITION AND THE STATE OF CALIFORNIA AMENDMENTS.  
CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AND SHALL NOTIFY THE ENGINEER OF ALL EXCEPTIONS BEFORE PROCEEDING WITH THE WORK.  
IN THE EVENT THAT CERTAIN FEATURES OF THE WORK ARE NOT FULLY SHOWN ON THE DRAWINGS OR CALLED FOR IN THE NOTES, THEN THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS THE SIMILAR CONDITIONS THAT THEY ARE SHOWN OR SPECIFIED.

#### EXISTING CONSTRUCTION:

TAKE CAUTION WHEN WORKING AROUND EXISTING CONSTRUCTION.  
THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES. WHERE ENCOUNTERED, SUPPORT, SHORE-UP, PROTECT OR RE-ROUTE AS NECESSARY.  
REMOVING, CUTTING, DRILLING, ETC. OF THE EXISTING CONSTRUCTION SHALL BE PERFORMED WITH GREAT CARE IN ORDER NOT TO RISK THE STRUCTURAL INTEGRITY OF THE BUILDING. NO STRUCTURAL MEMBER SHOULD BE NOTCHED OR CUT OR REMOVED WITHOUT THE KNOWLEDGE AND APPROVAL OF THE STRUCTURAL ENGINEER.

#### JOB SAFETY:

THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOBSITE INCLUDING SAFETY OF PERSONS AND PROPERTY. THE ENGINEER'S JOBSITE REVIEW IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES.

#### FOUNDATION NOTES:

FOUNDATION HAS BEEN DESIGNED BASED ON A SOIL REPORT BY KALVADEER AND ASSOCIATES FOR THIS SITE.  
THE STRUCTURE SHALL BE SUPPORTED ON FRICION PILE FOUNDATION. USE 14"x14" PRESTRESSED PRECAST CONCRETE PILE 30 FEET LONG. PILE REINFORCEMENT TO EXTEND INTO CONCRETE FOOTING ALLOWABLE LOAD ABOUT 30 KIPS PER PILE.  
LATERAL SUPPORT IS PROVIDED BY PASSIVE RESISTANCE EQUAL TO AN EQUIVALENT FLUID PRESSURE OF 300 PCF ACTING AGAINST THE PILE CAP AND FLUID PRESSURE OF 600 PCF AGAINST THE UPPER 5 FEET OF THE PILE.  
EXCAVATION SHALL BE MADE AS NEAR AS POSSIBLE TO THE HEAT LINES SHOWN ON THE DRAWINGS.  
FOUNDATION MAY BE PLACED WITHOUT FORMS, (CAST AGAINST EARTH) PROVIDED PRECAUTIONS ARE TAKEN TO INSURE NO CAVING OR SLUFFING OF SOIL MATERIAL IN THE CONCRETE WORK OCCURE.

#### CONCRETE NOTES:

ALL CONCRETE AND ITS PLACEMENT SHALL CONFORM TO ACI-318 AND ACI-301.  
CONCRETE SHALL BE REGULAR WEIGHT (150 PCF), AND SHALL DEVELOP A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI.  
STEEL REINFORCEMENT SHALL BE DEFORMED BARS CONFORMING TO ASTM A-615-80 GRADE 60. LAPS SHALL BE CONTACT SPIKES OF 40 BAR DIAMETER, STAGGERED WHERE POSSIBLE.  
REINFORCEMENT CLEARANCE SHALL BE 3" FOR SURFACES POURED AGAINST EARTH, 2" AT FORMED EDGES EXPOSED TO EARTH, AND 1.5" AT OTHER SURFACES, EXCEPT WHERE SHOWN OTHERWISE.  
PROVIDE SPECIAL INSPECTION PER UBC SECTION 306. THIS INCLUDES REBAR PLACEMENT, CONCRETE POUR, AND TAKING SAMPLES FOR COMPRESSION TEST.

#### STEEL NOTES:

ALL FABRICATION AND ERECTION TO BE DONE IN ACCORDANCE WITH AISC SPECIFICATIONS (A50, 9TH EDITION).  
ALL STRUCTURAL STEEL SHAPES AND MISCELLANEOUS IRON SHALL BE ASTM-A36.  
TUBES ARE ASTM-A500, GRADE B (F<sub>y</sub>=46KSI).  
ALL WELDING TO BE IN ACCORDANCE WITH AWS SPECIFICATIONS (E-70XX ELECTRODES). PROVIDE SPECIAL INSPECTION PER UBC - SECTION 306.  
ALL MACHINE BOLTS SHALL CONFORM TO ASTM-A307, WITH THREADS EXCLUDED FROM SHEAR PLANE.  
ALL STRUCTURAL STEEL SHALL BE PAINTED WITH ONE SHOP COAT OF ZINC-CHROMATE PRIMER OR EQUAL.

REVISIONS	BY
1/1/96	FZ

F.Z. Consultants  
Structural Design & Engineering  
48923 Warm Springs Blvd., Suite 102  
Fremont, California 94539  
(510)858-5911



PUBLIC PAVILION  
JACK LONDON WATERFRONT  
OAKLAND, CALIFORNIA

DRAWN	TSC
CHECKED	FZ
DATE	1/15/96
JOB NO.	9601
SHEET	

S-1



REVISIONS	BY
1-20-96	FZ

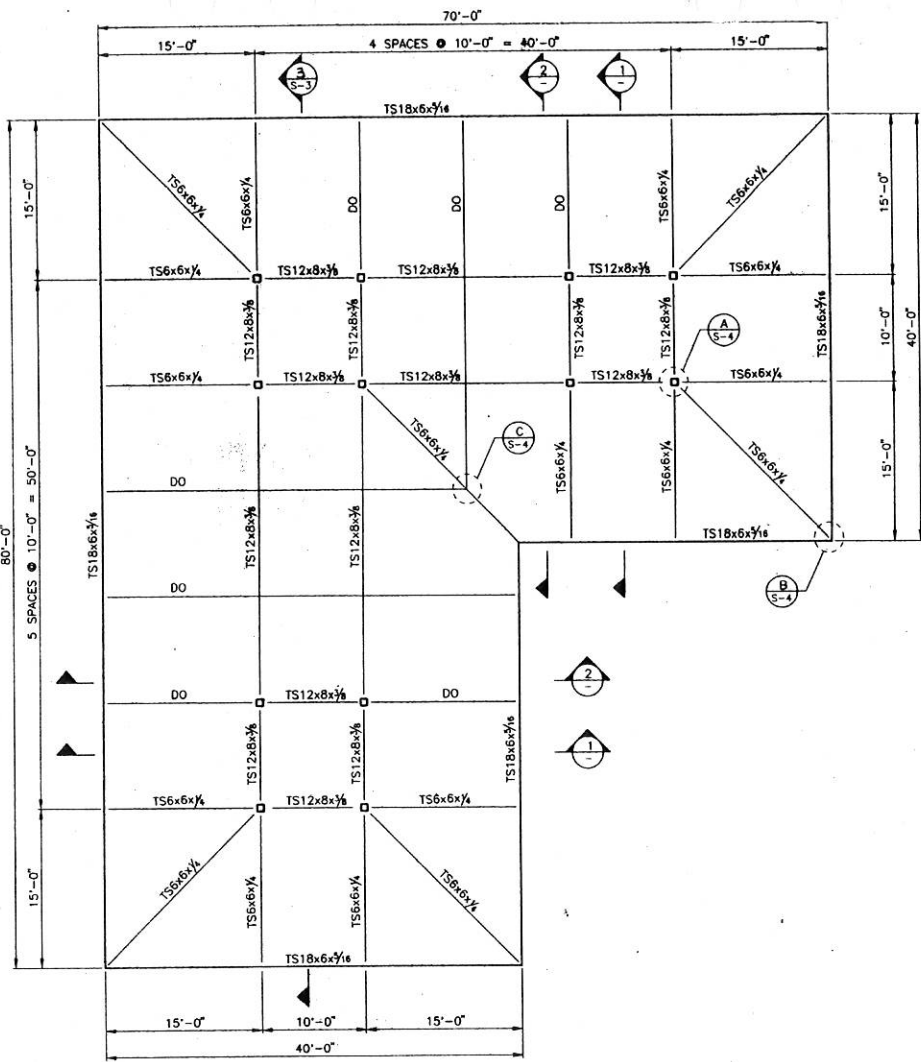
**F.Z. Consultants**  
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46923 Warm Springs Blvd., Suite 102  
Fremont, California 94539  
(510)656-5911



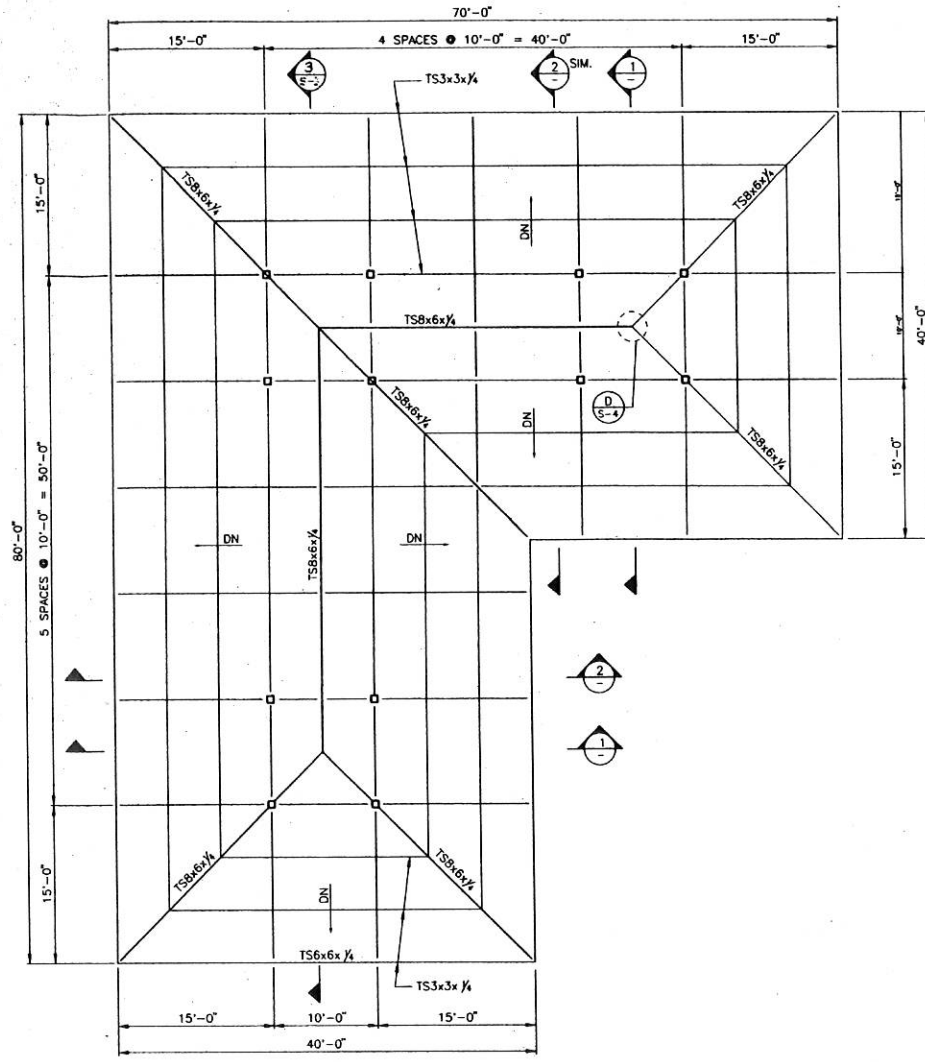
**PUBLIC PAVILION  
JACK LONDON WATERFRONT  
OAKLAND, CALIFORNIA**

DRAWN  
TSC  
CHECKED  
FZ  
DATE  
1/15/96  
JOB NO.  
9601  
SHEET

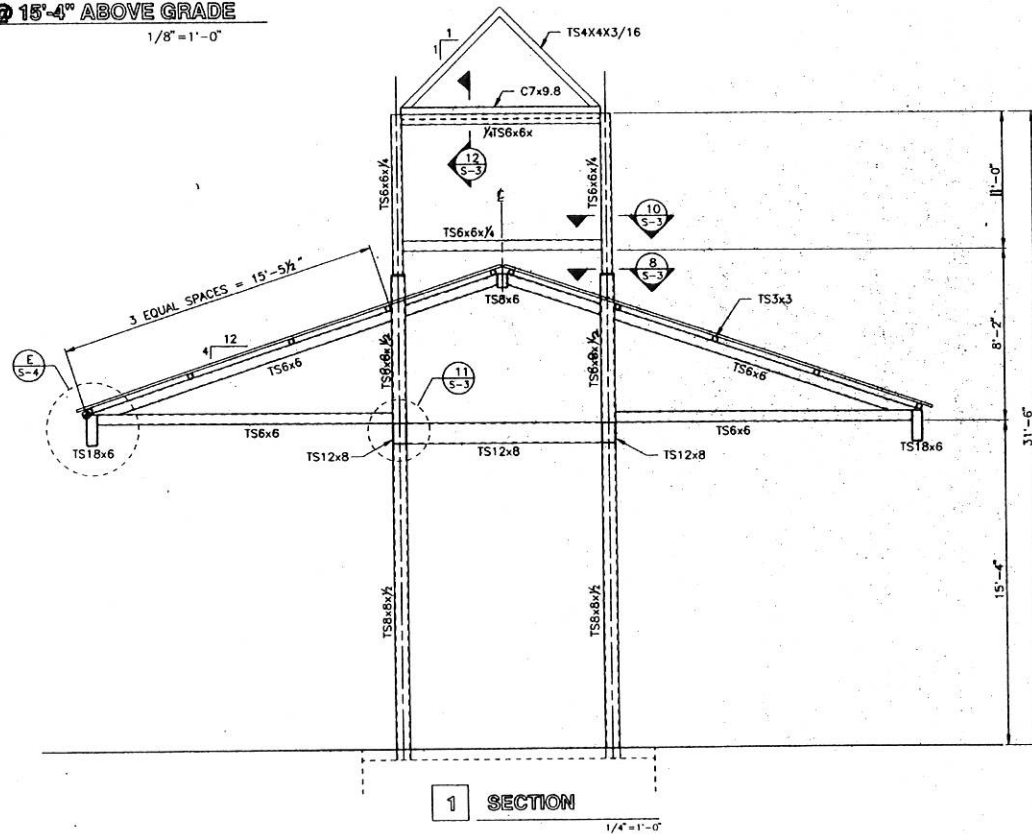
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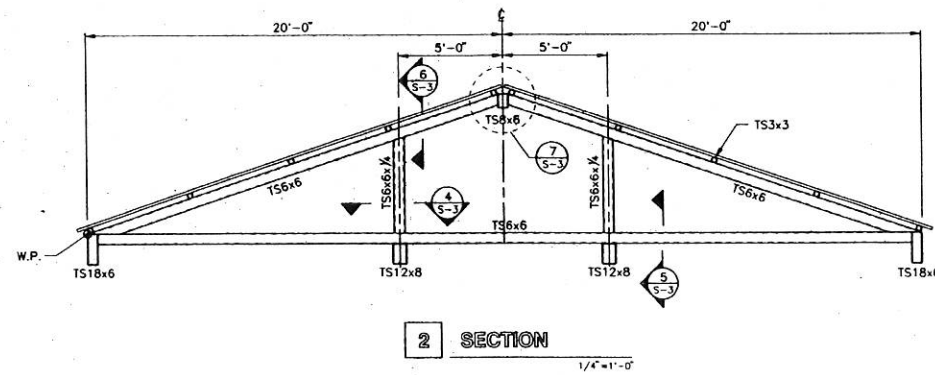
FRAMING PLAN @ 15'-4" ABOVE GRADE  
1/8" = 1'-0"



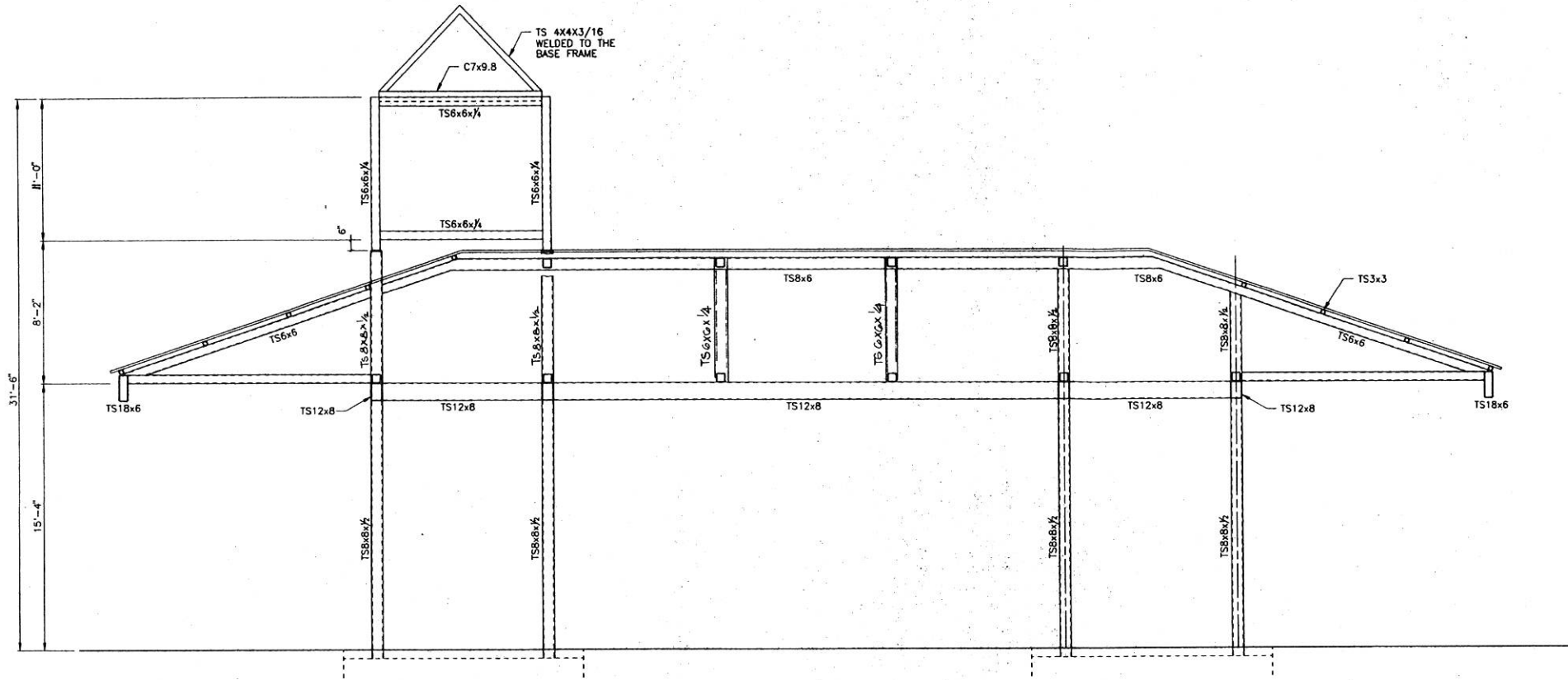
ROOF FRAMING PLAN  
1/8" = 1'-0"



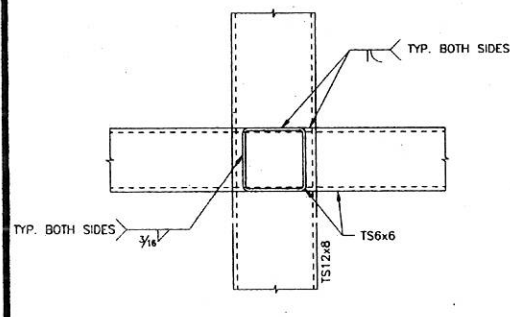
1 SECTION  
1/4" = 1'-0"



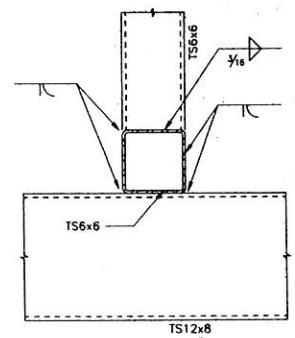
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1/4" = 1'-0"



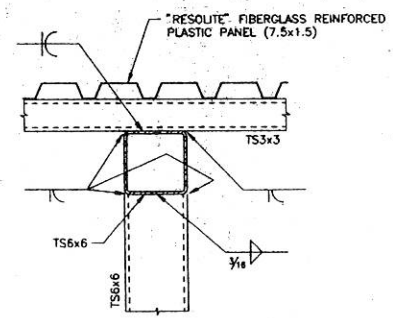
3 SECTION  
1/2" = 1'-0"



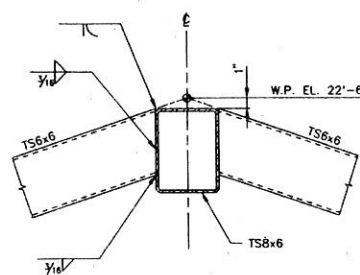
4 SECTION  
1 1/2" = 1'-0"



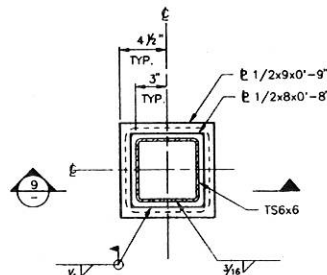
5 SECTION  
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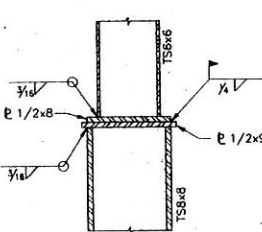
6 SECTION  
1 1/2" = 1'-0"



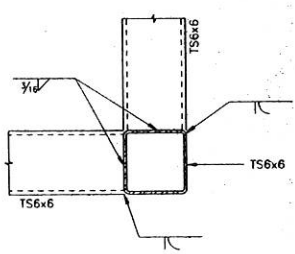
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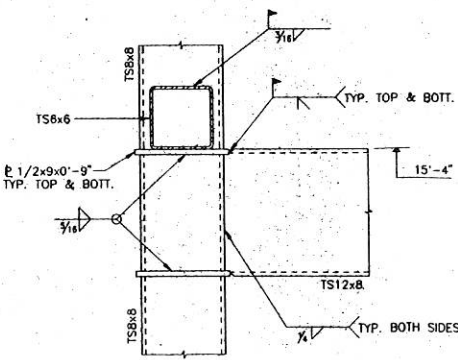
8 SECTION  
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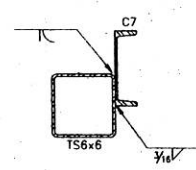
9 SECTION  
1 1/2" = 1'-0"



10 SECTION  
1 1/2" = 1'-0"



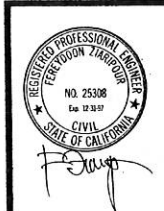
11 SECTION  
1 1/2" = 1'-0"



12 SECTION  
1 1/2" = 1'-0"

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1-20-96	FZ

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**PUBLIC PAVILION  
JACK LONDON WATERFRONT  
OAKLAND, CALIFORNIA**

DRAWN	TSC
CHECKED	FZ
DATE	1/15/96
JOB NO.	9601
SHEET	

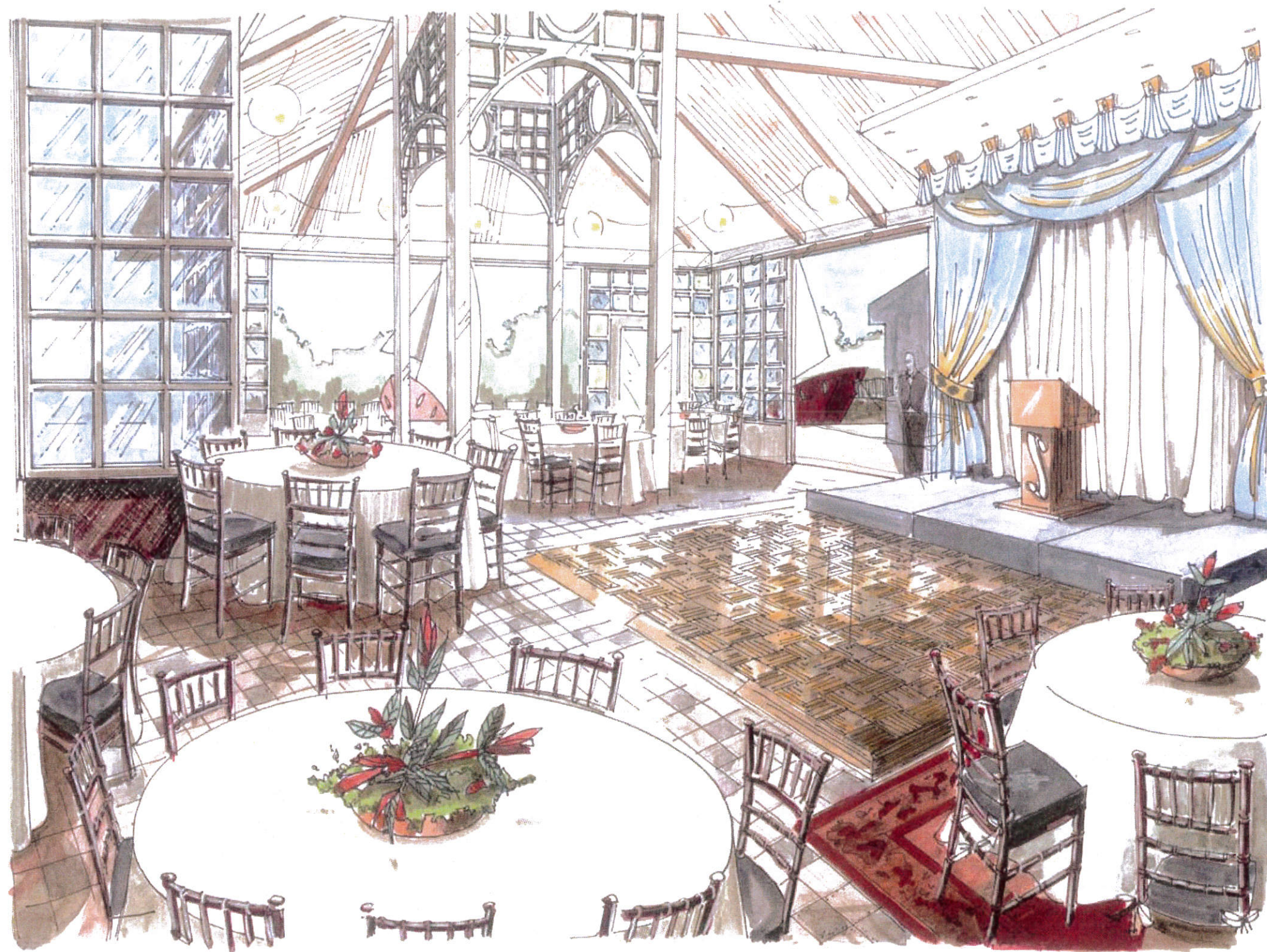
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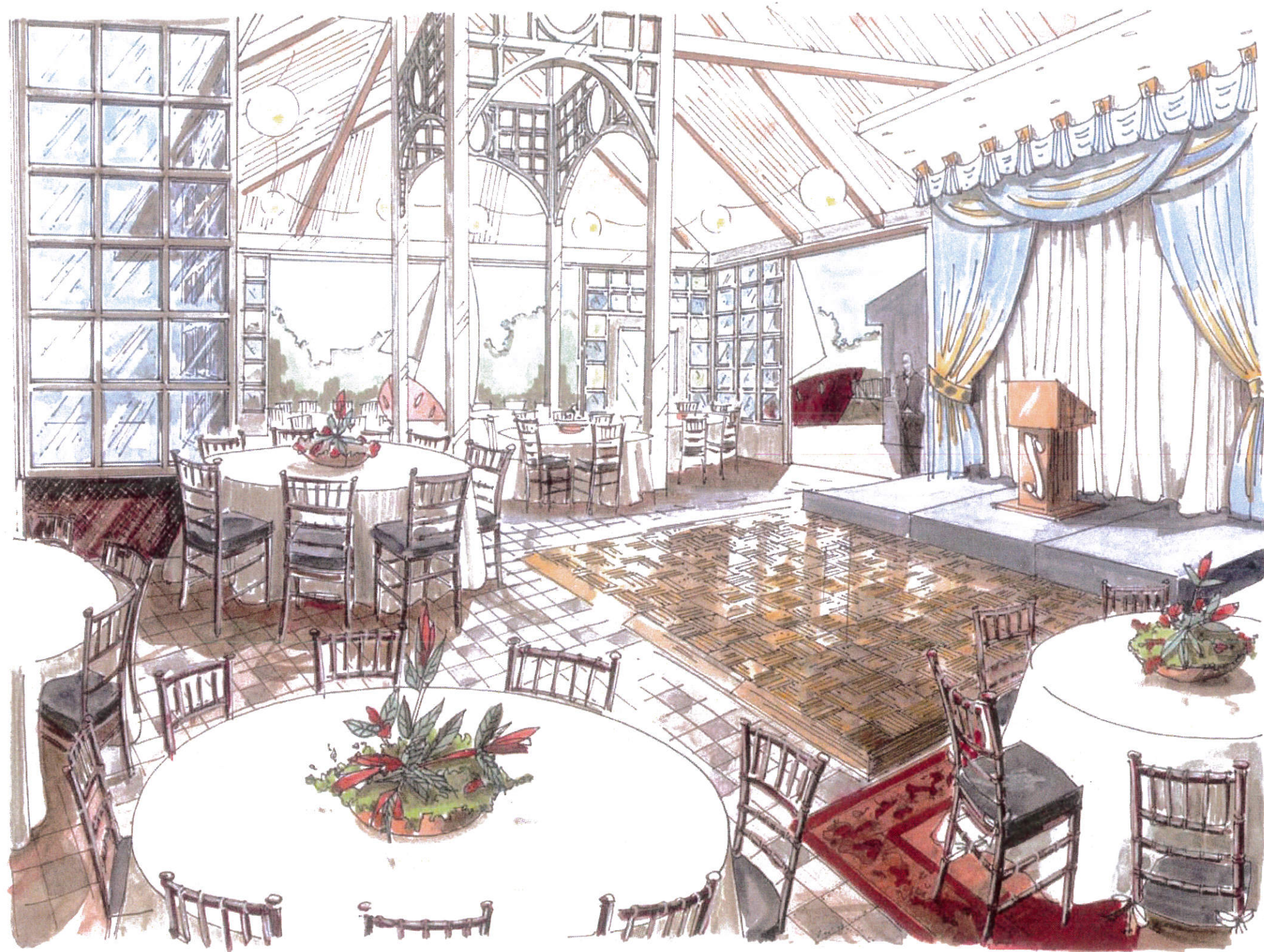
PAVILION: WALLS DOWN.





Pavilion: Wkus up.





Pavilion: WAKUS UP.

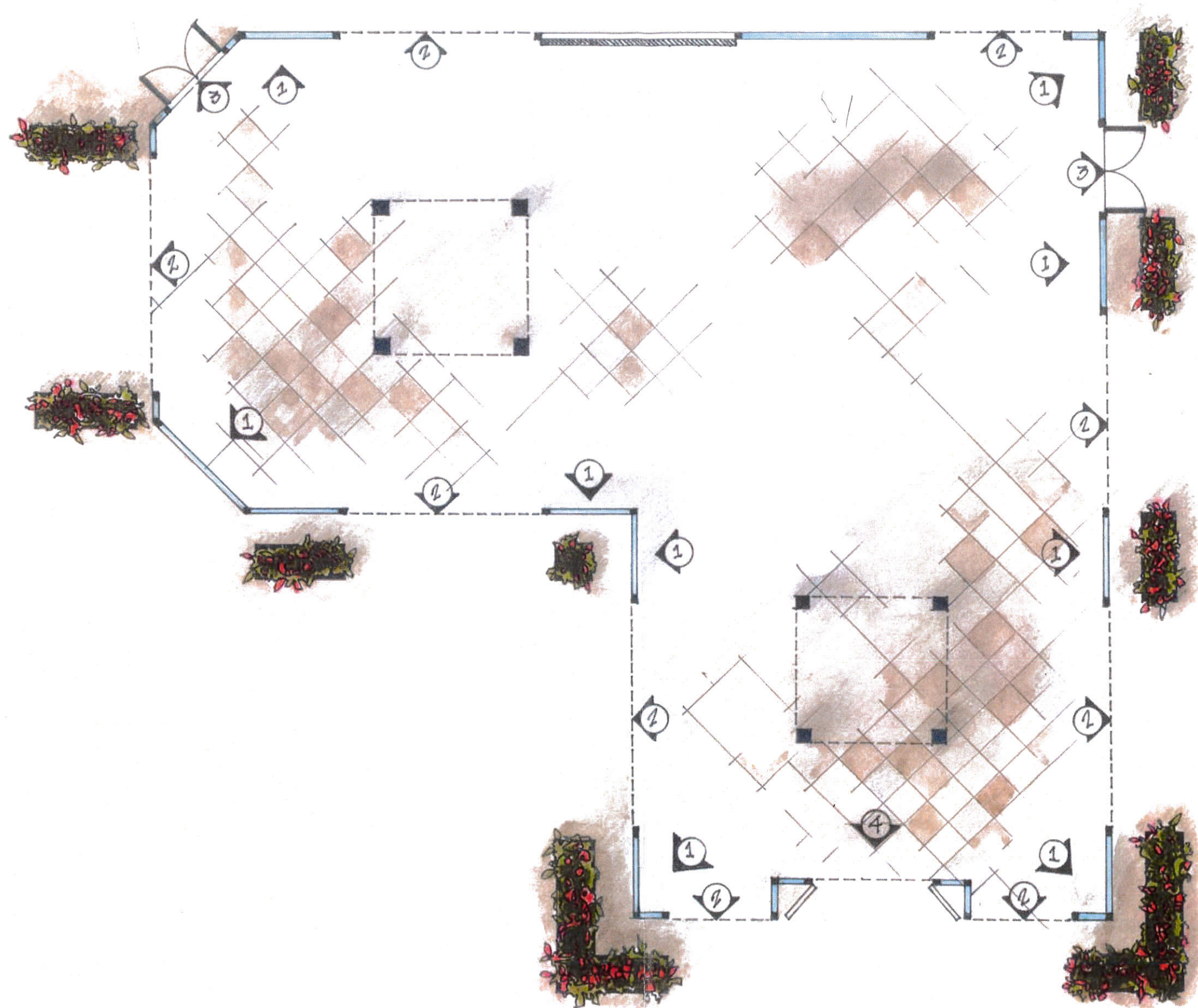




Pavilion: WAUS UP

uu  
uuuu







Ellen Miramonte + Bob Bathe  
2:00pm Steve Kegalde & Steven 12.14.2011  
Hanson

Scott's financial construction  
of pavilion in 1994/95

Set up - Six hours  
Take down - less  
(independent of event setup/take down)  
stored in storage area  
enliven - sparkle - light glass panels  
Tent is showing wear & tear  
want to make this more festive

- <sup>permanent</sup> less wall
- more transparency (with retractable
- softening planters walls)
- velvet drapes

permanent walls - uncomfortable

~~original~~  
vendor dispensing coffee to invite  
public

not well lit ← improve next at night  
colored lights

## re: Eat Real

more restrooms & garbage cans  
spread event out  
don't block front doors

- maybe we don't need to preserve view corridors
- all businesses signed a letter supporting special events.
- material a unit. public/business input.
- want to know - as a tenant - what is goal of the special events?

- 60% vacancy
- doesn't buy "bad economy" as excuse for

Willow's Shopping Center

Scott's in Walnut Creek on

Ca. Blvd across from McDonald's  
landscaping, color, lighting

- not a retail destination  
it's an entertainment destination

what can we do to make it more attractive

Steve Pegdale - new president  
was accountant

Ray Gallagher - C.E.O.

Michael Sta - no longer  
↓

next steps:

increase public benefits

inf. concerns

decrease privatization

reporting requirements retractive

Steve Scott's used to run the Broadway  
on why & \_\_\_\_\_ valets. Now Ellis  
business ~~is~~ is doing it. They/we  
is down. pulled valet back

Gross sales have gone down by

1/2. Believes the access fee  
is huge reason for diminished  
business





**Steve Fagalde**

President

stevef@scottscorp.com

255 Third Street, Suite 102  
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94607-1328

CELL (925) 360-1291  
OFFICE (510) 302-0999  
FAX (510) 302-0995

[www.scottseastbay.com](http://www.scottseastbay.com)

~ JLSP-farmer employee  
now on his  
own.

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